



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4800

by Rep. Patricia R. Bellock

SYNOPSIS AS INTRODUCED:

525 ILCS 25/10 new

Amends the Illinois Lake Management Program Act. Requires all oceangoing vessels engaging in port operations in this State to obtain a permit from the Environmental Protection Agency. Provides that the Agency may issue a permit for an oceangoing vessel only if: (1) the applicant can demonstrate that the oceangoing vessel will not discharge aquatic nuisance species; or (2) if the oceangoing vessel discharges ballast water or other waste or waste effluent, that the operator of the vessel will use environmentally sound technology and methods, as determined by the Agency, that can be used to prevent the discharge of aquatic nuisance species. Sets forth procedures for the permitting process and requires the Agency to establish reasonable permit fees. Effective immediately.

LRB095 17963 BDD 44045 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning natural resources.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Lake Management Program Act is
5 amended by adding Section 10 as follows:

6 (525 ILCS 25/10 new)

7 Sec. 10. Permit requirements for oceangoing vessels
8 engaging in port operations in this State.

9 (a) Beginning January 1, 2009, all oceangoing vessels
10 engaging in port operations in this State shall obtain a permit
11 from the Agency. The Agency may issue a permit for an
12 oceangoing vessel only if:

13 (1) the applicant can demonstrate that the oceangoing
14 vessel will not discharge aquatic nuisance species; or

15 (2) if the oceangoing vessel discharges ballast water
16 or other waste or waste effluent, that the operator of the
17 vessel will use environmentally sound technology and
18 methods, as determined by the Agency, that can be used to
19 prevent the discharge of aquatic nuisance species.

20 (b) The Agency shall cooperate to the fullest extent
21 practical with other Great Lakes basin states, the Canadian
22 Great Lakes provinces, the Great Lakes panel on aquatic
23 nuisance species, the Great Lakes fishery commission, the

1 international joint commission, and the Great Lakes commission
2 to ensure development of standards for the control of aquatic
3 nuisance species that are broadly protective of the waters of
4 the State and other natural resources.

5 (c) The Agency shall establish reasonable permit fees for
6 permits under this Section. The Agency may adopt rules to
7 administer the fee program established in this Section. The
8 Agency may include provisions pertaining to invoices, notice of
9 late payment, refunds, and disputes concerning the amount or
10 timeliness of payment. The Agency may set forth procedures and
11 criteria for the acceptance of payments. The absence of such
12 rules does not affect the duty of the Agency to immediately
13 begin the assessment and collection of fees under this Section.
14 All fees and interest penalties collected by the Agency under
15 this Section shall be deposited into the Illinois Clean Water
16 Fund, which is established under Section 12.5 of the
17 Environmental Protection Act.

18 (d) In accordance with Title VII of the Environmental
19 Protection Act, the Agency and the Pollution Control Board
20 shall adopt rules to implement this Section.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.